

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Stephen H. Brown et al.

Serial No. 09/429,295

Filed: October 28, 1999

For: CONVERSION OF UNSATURATED
CHEMICALS TO OLIGOMERS

Examiner: Nadine Preisch

Group Art Unit: 1764

Assistant Commissioner of Patents
Washington, DC 20231**PETITION FOR WITHDRAWAL OF ABANDONMENT**

A. Applicant respectfully petitions for the withdrawal of abandonment of the above-identified application.

B. Applicant was notified by the United States Patent and Trademark Office ("Office") of the abandonment by a Notice of Abandonment that was faxed to Applicant on August 28, 2002. The Notice said that the application was abandoned for failure to respond to an Office Action mailed January 24, 2002 ("Office Action").

C. Applicant submits that a Response to the Office Action was timely filed. In particular, a Response to the Office Action was mailed to the Office on April 24, 2002 [within the three month period of response] ("Response") and that mailing was done in accordance with 37 C.F.R. 1.8(a).

D. 37 C.F.R. 1.8(b) provides that correspondence timely filed by and mailed in accordance with 37 C.F.R. 1.8(a), but not received by the Office, will be considered timely if the party who forwarded the correspondence:

- (1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;
- (2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate; and
- (3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely

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mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

E. As specified in 37 C.F.R. 1.8(b), Applicant submits the following in support of the timely filing of the Response:

- (1) Applicant has notified the Office of the previously mailing of the Response by teleconference with Examiner Nadine Preisch at least as early as August 21, 2002;
- (2) Applicant submits a copy of the Response and the Transmittal Sheet for the Response, attached hereto as Exhibit A; and
- (3) Applicant submits the following statements which attest on a personal knowledge basis to the timely mailing:
 - (i) Statement of Edward F. Sherer, the attorney who signed the Response, attached hereto as Exhibit B;
 - (ii) Statement of Laura Clark, the person who prepared the envelope with the Response and associated documents for mailing to the Office and signed the Certificate of Mailing, attached hereto as Exhibit C;
 - (iii) Statement of Melissa Estrada, the person that had sufficient first class postage placed on the envelope and then placed the envelope into an internal ExxonMobil mailbox, attached hereto as Exhibit D; and
 - (iv) Statement of John Alford, the person who removed the envelope from the internal ExxonMobil mailbox and deposited the envelope with the United States Postal Service, attached hereto as Exhibit E.

F. Applicant respectfully submits that the conditions of 37 C.F.R. 1.8(b) have been fulfilled. Withdrawal of the abandonment is respectfully submitted.

Respectfully submitted,

22 October 2002



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